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ACACIA MEDIA TECHNOLOGIES CORPORATION

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re) Case No. 05 CV 01114 JW
ACACIA MEDIA TECHNOLOGIES) MDL No. M 05-01665 JW
CORPORATION) **NOTICE OF APPEAL**
) **Judge: Hon. James Ware**
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NOTICE IS HEREBY GIVEN that Plaintiff Acacia Media Technologies Corporation (“Acacia”) hereby appeals to the United States Court of Appeals for the Federal Circuit from the Judgment by the Honorable James Ware entered in this action on October 23, 2009 (Docket Item No. 355) and from the Amended Judgment by the Honorable James Ware entered in this action on November 5, 2009 (Docket Item No. 358) both in favor of Defendants Echostar Satellite LLC, Echostar Technologies Corp., DIRECTV Group, Inc., Time Warner Cable Inc., CSC Holdings, Inc., Hospitality Network, Inc., Cable America Corp., Comcast Cable Communications LLC, Coxcom Inc., Insight Communications Company, Inc., Charter Communications, Inc. (solely to the extent authorized by the Bankruptcy Court), Armstrong Group, Wide Open West LLC, Block Communications Inc., East Cleveland Cable TV and Communications LLC, Massillon Cable TV Inc., NPG Cable Inc., Mid-Continent Media, Inc., US Cable Holdings LP, Sjoberg’s Cablevision, Inc., Savage Communications Inc., Loretel Cablevision, Cannon Valley Communications, Inc., Arvig Communication Systems, Cable One, Inc., Mediacom Communications Corporation, Bresnan Communications, Cequel III Communications I, LLC (dba Cebridge Connections), Game Link Inc., ACMP LLC, Cybernet Ventures Inc., Global AVS Inc., National A-1 Advertising Inc., AEBN Inc., Ademia Multimedia LLC, Audio Communications Inc., Cyber Trend Inc., Innovative Ideas International, Adult Revenue Service, Lightspeed Media Group Inc., New Destiny Internet Group LLC, VS Media Inc., Offendale Commercial Limited BV, AskCS.com, Inc., and International Web Innovations Inc. (collectively “Defendants”), and based upon:

(1) the Court’s October 23, 2007 Amended Order Granting Defendants’ Motions for Summary Judgment (Docket Item No. 354);

(2) the Court’s Markman Order, dated July 12, 2004 (“1st CCO”) (Docket Item No. 175 in 02-cv-01040-JW-MLG (C.D. Cal.));

(3) the Court’s Further Claim Construction Order; Order Finding Claims Terms Indefinite and Claims Invalid, dated December 7, 2005 (“2nd CCO”) (Docket Item No. 119);

(4) the Court’s Third Claim Construction Order, dated December 14, 2006 (“3rd CCO”) (Docket Item No. 216);

(5) the Court's Fourth Claim Construction Order, dated March 2, 2007 ("4th CCO") (Docket Item No. 220);

(6) the Court's Order re: Motions for Reconsideration of Claim Construction Order; Fifth Claim Construction Order, dated October 19, 2007 ("5th CCO") (Docket Item No. 259);

(7) the Court's Sixth Claim Construction Order, dated February 13, 2008 ("6th CCO") (Docket Item No. 266); and

(8) the Court's September 7, 2005 Order of Appointment of Mr. Rainer Schulz (Docket Item No. 92).

Dated: November 9, 2009

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